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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HOWARD BERGMAN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

2:10-CV-111 JCM (PAL)

ORDER

Presently before the court is the government's motion for the district judge to reconsider the order (doc. #20) on the plaintiff's ex parte motion for extension of time (doc. #19) to file a response to the government's motion for summary judgment (doc. #16). (Doc. #23). To date, no response has been filed.

The court is in agreement with the government that the plaintiff did not follow the procedural rules in this district regulating ex parte motions. *See* L.R. 7-5 (laying out the requirements for ex parte motions). However, as the plaintiff has now filed his response to the government's motion for summary judgment (doc. #25), this court will follow its preference in deciding motions on their merits.

Accordingly,

...

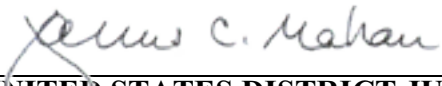
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1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the government's motion
2 (doc. #23) for the district judge to reconsider its order on the plaintiff's ex parte motion for extension
3 of time is hereby DENIED as moot.

4 DATED January 31, 2011.

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6 UNITED STATES DISTRICT JUDGE
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